



Aliza Pescovitz Malouf

Akerman LLP
The Victor Building
750 9th Street, N.W., Suite 750
Washington, DC 20001

November 9, 2023

Mario E. Castro
419 West Hills Road
Mellville, NY 11747

Re: Mario E. Castro v. Newrez LLC, et al., Case No. 2:22-cv-06340-PKC-JMW

Dear Mr. Castro:

This firm represents defendants The Bank of New York Mellon, Inc. (**BoNYM**) and NewRez LLC d/b/a Shellpoint Mortgage Servicing (**Shellpoint**) in the above captioned matter.

By this correspondence, we hereby serve BoNYM's and Shellpoint's Motion to Dismiss, pursuant to Fed. R. Civ. P. 12(b)(1), 12(b)(5), and 12(b)(6). We include with this letter the following documents:

- 1.) Notice of Motion
- 2.) Memorandum of Law in Support of Motion
- 3.) Declaration of Aliza Malouf in Support of Motion
- 4.) Notice to Pro Se Litigants
- 5.) Copies of all unpublished opinions cited in the Memorandum of Law, pursuant to Local Rule 7.2.

Pursuant to the Honorable Pamela K. Chen's October 10, 2023 Order, the Court will follow a modified bundling rule pursuant to the Court's Individual Rule 3.D. BoNYM and Shellpoint will not file the motion papers electronically until the motion has been fully briefed. You may file your opposition papers on ECF on or before December 14, 2023. We will file a copy of this letter with the Court. Upon a full briefing of the motion, we shall file all motion papers and provide courtesy copies to the Court.

Sincerely,

Aliza Pescovitz Malouf

Enclosures: Notice of Motion
Memorandum of Law in Support of Motion

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Declaration of Aliza Malouf in Support of Motion
Notice to Pro Se Litigants
Copies of all unpublished opinions cited in the Memorandum of Law

cc: VIA ECF FILING (without enclosures)
United states District Court, Eastern District of New York
Hon. Pamela K. Chen
hon. James M. wicks, Magistrate Judge
225 Cadman Plaza East
Brooklyn, New York 11201

VIA OVERNIGHT MAIL (with enclosures)
Jonathan M. Marmo
1650 Market Street, Suite 3300
Philadelphia, PA 19103
215-252-9568

Julius Karey
Jones Day
250 Vesey Street
Floor 31
New York, NY 10281
212-326-8305

Camille Renee Nicodemus
Schuckit & Associates, P.C.
4545 Northwestern Drive
Zionsville, IN 46077
317-363-2400

Dustin Peter Mansoor
Seyfarth Shaw
620 8th Avenue
New York, NY 10018
212-218-3391